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Letter dated 14 February 2006 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

It is my pleasure to enclose herewith for your kind attention the two documents that were issued by the summit meeting which was held in Tripoli on 8 February 2006, one entitled "Tripoli Declaration concerning the Situation between Chad and the Sudan" (see annex I) and the other entitled "Tripoli Agreement to Settle the Dispute between the Republic of Chad and the Republic of the Sudan" (see annex II).

I should be very grateful if you would circulate the present letter and its annexes as a document of the Security Council.

(*Signed*) Ahmed A. **Own**
Chargé d'affaires a.i.

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Annex I to the letter dated 14 February 2006 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

[Original: Arabic and French]

Tripoli Declaration concerning the Situation between Chad and the Sudan

1. At the joint initiative of Brother Muammar Al-Qadhafi, Leader of the Revolution, High Peace Mediator within the Community of Sahelo-Saharan States (CEN-SAD) and beyond, and His Excellency Mr. Denis Sassou Nguesso, current President of the African Union and President of the Republic of the Congo, a summit meeting was held in Tripoli on 8 February 2006 on the situation between Chad and the Sudan.

The participants were Their Excellencies Messrs.:

Blaise Compaoré, President of Burkina Faso and current President of CEN-SAD;

Omer Hassan A. Al-Bashir, President of the Republic of the Sudan;

Idriss Deby Itno, President of the Republic of Chad;

François Bozizé Yangouvonda, President of the Central African Republic.

2. Also participating in the Summit were:

Mr. Alpha Omar Konaré, Chairperson of the Commission of the African Union;

Mr. Muhammad al-Madani al-Azhari, Secretary-General of CEN-SAD;

A representative of the Secretary-General of the United Nations.

3. The Summit was preceded by a meeting of the Ministers for Foreign Affairs and the ministers responsible for public security of the aforementioned States, held on 6 and 7 February 2006, under the chairmanship of His Excellency Mr. Rodolphe Adada, Minister of State and Minister for Foreign Affairs and Francophonie of the Republic of the Congo, and Chairman of the Executive Council of the African Union.

4. Having studied the crisis situation prevailing between Chad and the Sudan and in the light of the information submitted by the two parties and by the Commission of the African Union, the Summit expresses its concern about this unfortunate crisis between these two fraternal countries bound by ties of geography, history and social relations.

5. The Summit greatly appreciates the readiness of the two parties to engage in constructive dialogue, which has been reaffirmed in the course of the discussion by both President Omer Hassan A. Al-Bashir and President Idriss Deby Itno.

6. The Summit urges the two parties to engage in dialogue and bilateral consultations, bearing in mind:

- The relevant provisions of the Constitutive Act of the African Union and of article 4 of the Protocol relating to the Establishment of the Peace and Security Council of the African Union, which stipulate the peaceful resolution of crises between member States, the non-use of force, non-interference in internal affairs, peaceful coexistence of member States and the right of all States to live in peace;

- The relevant articles of the Treaty establishing CEN-SAD;

- The Charter on Security of CEN-SAD;

- The Niamey Declaration on Crises and Conflicts adopted by the fifth regular session of the Council of Heads of State of CEN-SAD;

- The Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States (General Assembly resolution 2625 (XXV))

7. The Summit calls urgently on both parties to refrain from all interference in the internal affairs of the other party and from providing support to armed groups operating in either country.

8. The Summit requests both parties to prevent the use of their territories for subversive activities directed against the sovereignty and territorial integrity of the other party, in accordance with the Charter on Security of CEN-SAD signed by both States.

9. The Summit requests both parties to initiate and institutionalize the exchange, by the competent services of the two countries, of information concerning the activities of armed groups, with a view to disbanding them.

10. The Summit requests both parties to put an immediate stop to media campaigns detrimental to the restoration of trust and calm.

11. The Summit pledges to provide multifaceted support to both countries according to their needs in order to carry out the noble and heroic task of restoring the climate of trust and good-neighbourliness that has long prevailed between Chad and the Sudan. To this end, the Summit decides to establish:

- A ministerial follow-up committee chaired by the Great Jamahiriya and made up of ministers from both parties, ministers from the Republic of the Congo, Burkina Faso and the Central African Republic, and the Secretary-General of CEN-SAD. This committee would meet periodically to evaluate the development of the situation and assist the two countries in seeking peaceful negotiated solutions to the various causes of the crisis, and would operate in coordination with the Peace and Security Council of the African Union;

- A mission to gather information on the ground;

- A peace and security force to secure the common border.

12. The Summit requests the Great Jamahiriya to convene in Tripoli at the earliest possible date an extraordinary meeting of the Chiefs of the Foreign Intelligence Services to propose suitable means of monitoring the common border.

13. In order to demonstrate the resolve of the two countries to settle their differences by peaceful means and in order to restore trust between them, the

Republic of Chad and the Republic of the Sudan have signed the Tripoli Agreement to Settle the Dispute between the Republic of Chad and the Republic of the Sudan. The two countries will endeavour to normalize their diplomatic and consular relations. In the same vein, they pledge to prohibit forthwith the presence of rebel elements from either party in their respective territories.

14. The Summit pays heartfelt tribute to Their Excellencies Messrs. Omer Hassan A. Al-Bashir and Idriss Deby Itno for their spirit of pan-Africanism and their devotion to peace, security and stability in their countries and in the subregion as a whole.

15. The Summit also warmly congratulates His Excellency Mr. Denis Sassou Nguesso, President of the Republic of the Congo and current President of the African Union, on his vision in placing peace and security in Africa among the priorities of his mandate.

16. The Summit is moved to adopt a motion expressing its deep appreciation and gratitude to Brother Muammar Al-Qadhafi, Leader of the Revolution and High Peace Mediator within CEN-SAD and beyond, for his unstinting efforts and steadfast commitment to achieving peace, security and development within CEN-SAD and in Africa generally.

Issued at Tripoli on 8 February 2006

For the Summit:
(*Signed*) His Excellency Mr. Denis **Sassou Nguesso**
President of the Republic of the Congo
Current President of the African Union

(*Signed*) Brother Muammar **Al-Qadhafi**
Leader of the Revolution,
High Peace Mediator within CEN-SAD and beyond

Annex II to the letter dated 14 February 2006 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

[Original: Arabic and French]

Tripoli Agreement to Settle the Dispute between the Republic of Chad and the Republic of the Sudan

Tripoli, 8 February 2006

At the conclusion of the Summit held in Tripoli on 8 February 2006 at the joint initiative of Brother Muammar Al-Qadhafi, Leader of the Revolution and High Peace Mediator within the Community of Sahelo-Saharan States (CEN-SAD) and beyond, and His Excellency Mr. Denis Sassou Nguesso, President of the Republic of the Congo and current President of the African Union,

The Republic of the Sudan, represented by His Excellency Mr. Omer Hassan A. Al-Bashir, and the Republic of Chad, represented by His Excellency Mr. Idriss Deby Itno, (hereinafter referred to as "the two Parties"),

Resolved to restore a climate of mutual trust, constructive good-neighbourliness and deep-rooted relations based on friendship and harmony between their two peoples,

Bearing in mind the provisions of the Charter of the United Nations,

Recalling the relevant provisions of the Constitutive Act of the African Union and of the Treaty establishing CEN-SAD,

Responding to the appeals and mediation efforts made by the leaders and Heads of State at the Tripoli Summit with a view to achieving reconciliation and lasting peace between Chad and the Sudan,

Have agreed as follows:

Article 1

The two Parties pledge to work towards the restoration of the climate of trust, good-neighbourliness and cooperation that has long existed between them.

Article 2

The two Parties pledge to respect scrupulously the provisions of the Constitutive Act of the African Union and the Charter on Security of CEN-SAD, both of which stipulate non-interference in internal affairs and the non-use of force for the resolution of disputes.

Article 3

The two Parties pledge to prevent the use of their territories for subversive activities directed against the sovereignty and territorial integrity of the other Party.

Article 4

The two Parties pledge to prohibit forthwith the presence of rebel elements from either country in their respective territories.

Article 5

In the context of the restoration of trust and good-neighbourly relations, the two Parties will endeavour to normalize their diplomatic and consular relations.

Article 6

The two Parties pledge to put an end to hostile media campaigns and to work to establish a spirit of fraternity and harmony.

Article 7

The two Parties agree to the establishment by the Tripoli Summit of:

- A ministerial committee to follow up on the implementation of this Agreement;
- A mission to gather information on the ground;
- A peace and security force to secure the common border.

Article 8

The two Parties pledge to cooperate and to facilitate the operation of the peace mechanisms referred to in article 7.

Article 9

This Agreement shall enter into force immediately on signature.

Done at Tripoli on 8 February 2006

The Parties:

For the Republic of the Sudan:
(*Signed*) His Excellency Mr. Omer Hassan A. **Al-Bashir**

For the Republic of Chad:
(*Signed*) His Excellency Mr. Idriss **Deby Itno**

Facilitators:

(*Signed*) His Excellency Mr. Denis **Sassou Nguesso**
President of the Republic of the Congo
Current President of the African Union

(Signed) Brother Muammar **Al-Qadhafi**
Leader of the Revolution
High Peace Mediator within CEN-SAD and beyond

For the Central African Republic:
(Signed) His Excellency Mr. François **Bozizé Yangouvonda**
President of the Republic

For Burkina Faso:
(Signed) His Excellency Mr. Blaise **Compaoré**
President of Burkina Faso
Current President of CEN-SAD